

REMARKS

In the October 13, 2005 Office Action, claims 1, 5, 6, 11, 12, 17 and 20 stand rejected in view of prior art, while claims 9, 10, 13-16, 18 and 19 were allowed and claims 7 and 8 were indicated as containing allowable subject matter. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

Applicants wish to thank the Examiner for the indication of allowable subject matter and the thorough examination of this application. In response to the October 13, 2005 Office Action, none of the claims are being amended by the current Amendment. Thus, claims 1, 5-20 are pending, with claims 1, 9, 11, 15, 18, 19 and 20 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of the following comments.

Entry of August 2, 2005 Amendment

In pages 2 and 3 of the Office Action, the Office Action indicates that Applicants' August 2, 2005 Amendment submitted with a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 has been entered.

The Office Action indicates Applicants' arguments with respect to the rejection of claims 7 and 8 under 35 U.S.C. §112, second paragraph have been fully considered and are persuasive. Thus, the rejection of claims 7 and 8 under 35 U.S.C. §112, second paragraph are withdrawn.

The Office Action further indicates the rejections to claims 2-4 are withdrawn because claims 2-4 were canceled in the August 2, 2005 Amendment.

The Office Action asserts the rejections to claims 1, 5, 6, 11, 12, 17 and 20 are withdrawn in view of the Applicants' amendments and arguments asserted in the August 2, 2005 Amendment. However, the Office Action indicates, upon further consideration, new grounds of rejection are raised to reject these claims. Moreover, regarding claims 11 and 12, the Office Action indicates the Examiner does not entirely concede the point made in the August 2, 2005 Amendment that U.S. Patent No. 6,317,114 to Abali et al. does not teach all the limitations of claims 11 and 12. However, a new reference is introduced in the Office Action to deal with the limitations recited in claims 11 and 12 to expedite prosecution of the present application.

Foreign Priority

In pages 3 and 4 of the Office Action, the Office Action asserts that Applicants cannot rely upon the foreign priority papers to overcome the rejection because translations of the foreign priority papers have not been made of record in accordance with 37 C.F.R. §1.55.

In response, Applicants submit herewith English translations of Japanese Application Nos. 2002-340711 and 2003-44052 to perfect the foreign priority claim. As acknowledged in the previous Office Actions, the certified copies of the Japanese Application Nos. 2002-340711 and 2003-44052 were previously submitted and received by the U.S. Patent and Trademark Office.

Applicants believe at least claims 1, 5, 6, 17 and 20 are fully supported by each of the disclosures of Japanese Application Nos. 2002-340711 and 2003-44052. Thus, Applicants believe at least claims 1, 5, 6, 17 and 20 are entitled to benefit of the filing date of Japanese Application No. 2002-340711 (November 25, 2002) under 35 U.S.C. §119.

Rejections - 35 U.S.C. § 103

In pages 4 to 13 of the Office Action, claims 1, 5, 6, 11, 12, 17 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the prior art of record. In response, Applicants respectfully traverse the rejections to claims 1, 5, 6, 11, 12, 17 and 20 over the prior art of record for the following reasons.

CLAIMS 1, 5, 6, 17 AND 20

Claims 1, 5, 6, 17 and 20 are rejected as being obvious over U.S. Patent No. 6,317,114 to Abali et al (hereinafter "Abali et al. patent") in view of U.S. Patent Application Publication No. 2004/0110565 to Levesque (hereinafter "Levesque publication") and further in view of U.S. Patent Application Publication No. 2003/0023192 to Foxlin (hereinafter "Foxlin publication")¹. Applicants respectfully disagree with the assertion in the Office Action that the limitations recited in claims 1, 5, 6, 17 and 20 are obvious over the Abali et al. patent in view of the Levesque publication and further in view of the Foxlin publication.

First, as mentioned above, Applicants believe claims 1, 5, 6, 17 and 20 are entitled to benefit of the filing date of Japanese Application No. 2002-340711 (November 25, 2002)

¹ Although the Office Action refers to a prior art reference "Small" in line 14 of page 7, Applicants believe the citation of the "Small" reference in relation to the rejection is erroneous, and the citation of "Small" reference should be replaced with a citation of the Foxlin publication.

under 35 U.S.C. §119. Thus, Applicants believe the effective date of the Levesque publication (December 4, 2002) is overcome.

Moreover, assuming for the sake of argument that the Levesque publication qualified as prior art, which is not, Applicants believe claims 1, 5, 6, 17 and 20 are allowable over the Abali et al. patent, the Levesque publication, the Foxlin publication, or any other prior art of record, whether taken singularly or in combination.

More specifically, independent claims 1 and 20 clearly recite that the display position of the image is ***shifted by an amount based on the relative displacement to stabilize the image*** within the display section. Clearly this arrangement is ***not*** disclosed or suggested by the Abali et al. patent, the Levesque publication, the Foxlin publication or any other prior art of record, whether taken singularly or in combination.

As presented in Applicants' March 3, 2005 and August 2, 2005 Amendments, the Abali et al. patent ***fails*** to disclose or suggest determining a viewer motion value indicative of the movement of a head portion of a viewer as recited in independent claims 1 and 20. Therefore, the Abali et al. patent also ***fails*** to disclose or suggest shifting a display position of the image based on a ***relative displacement*** between the display section and the head portion of the viewer to stabilize the image within the display section to the viewer as recited in the independent claims 1 and 20.

The Levesque publication and the Foxlin publication are clearly cited in the Office Action to show using relative displacement between the display section and the head portion of the viewer to adjust the display position of the image. However, the Levesque publication merely discloses that motion of the user's head may be taken into account ***to simulate interaction with the virtual opponents*** (please see paragraph [0034] of the Levesque publication). The Levesque publication is silent about how the user's head motion is taken into account in controlling the display to simulate interaction with the virtual opponents. In other words, the Levesque publication is silent about any specific adjustment applied to the image (i.e., whether the image is shifted, magnified, shrunk, etc.) in response of the motion of the user's head. Thus, the Levesque publication ***fails*** to disclose or suggest ***shifting*** a display position of the image within the display region of the display screen by an amount based on the relative displacement to ***stabilize*** the image within the display section to the viewer as recited in independent claim 1 and 20. Thus, it would ***not*** have been obvious to one of

ordinary skill in the art to modify the Abali et al. patent in view of the Levesque publication to obtain the unique arrangements of the claimed invention.

Furthermore, the Foxlin publication *fails* to provide for the deficiencies of the Abali et al. patent and the Levesque publication. The Foxlin publication merely discloses changing the displayed virtual environment in response to the user's body motions, for example, *to reflect a point of view that the user adopts* (please see paragraph [0131] of the Foxlin publication). The disclosure of the Foxlin publication suggests changing the virtual environment as the viewer's head moves to simulate the virtual environment. Thus, in the Foxlin publication, the image would not be shifted *to stabilize the image within the display section* to the viewer because such shifting would demolish the simulation of the virtual environment in response to the user's body motion. Accordingly, the Foxlin publication *fails* to disclose or suggest *shifting* a display position of the image within the display region of the display screen by an amount based on the relative displacement to *stabilize* the image within the display section to the viewer as recited in independent claim 1 and 20.

It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique arrangements of the claimed inventions.

Accordingly, Applicants believe the Abali et al. patent, the Levesque publication and the Foxlin publication, whether taken singularly or in combination, *fail* to render independent claims 1 and 20 obvious.

Moreover, Applicants believe that the dependent claims 5, 6 and 17 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 5, 6 and 17 are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 1, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Accordingly, Applicants respectfully request that this rejection be withdrawn in view of the above comments.

CLAIMS 11 AND 12

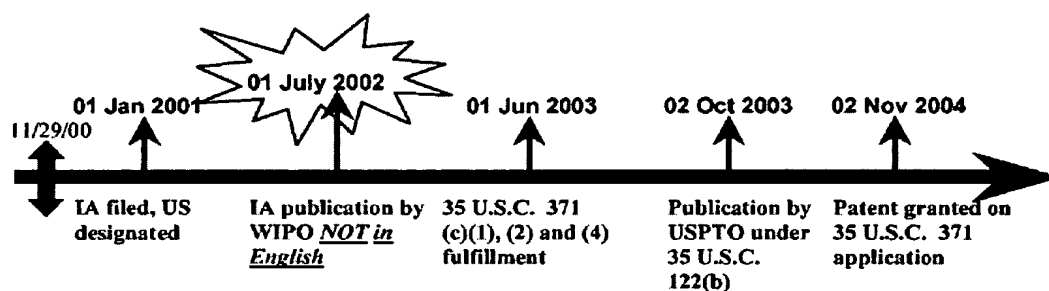
Claims 11 and 12 are rejected as being obvious over the Abali et al. patent in view of U.S. Patent Application Publication No. 2004/0239587 to Idesawa et al. (hereinafter "Idesawa et al. publication"). Applicants respectfully disagree with the assertion in the Office Action that the limitations recited in claims 11 and 12 are obvious over the Abali et al. patent in view of the Idesawa et al. publication.

First, Applicants respectfully assert that the *Idesawa et al. publication does not qualify as prior art* of the present application because the Idesawa et al. publication is based on the national stage of an international application filed after November 29, 2000 which was published as WO 03/036452 A1 in Japanese under PCT Article 21(2). MPEP 706.02(f)(1)II Example 5 (page 700-34 of MPEP) as reproduced below clearly states "[a]ll references, whether the WIPO publication, the U.S. patent application publication or the U.S. patent, of an international application (IA) that was filed on or after November 29, 2000 but was not published in English under PCT Article 21(2) have **no 35 U.S.C. 102(e) prior art date at all**" (emphasis added). Accordingly, the Idesawa et al. publication has **no 35 U.S.C. §102(e)** date, and thus, does not qualify as prior art of the present application.

According to MPEP 706.02(f)(1)II Example 5 as shown on the next page, the international application publication (WO 03/036452 A1) of the Idesawa et al. publication, which was published on May 1, 2003 by WIPO, may be applied under 35 U.S.C. §102(a). However, Applicants believe claims 11 and 12 are fully supported at least by the disclosure of Japanese Application No. 2003-44052, and thus, claims 11 and 12 are at least entitled to benefit of filing date of the Japanese Application No. 2003-44052, i.e., February 21, 2003. Therefore, Applicants believe the date of the international application publication of the Idesawa et al. publication is overcome in view of Applicants' foreign priority.

Example 5: References based on the national stage (35 U.S.C. 371) of an International Application filed on or after November 29, 2000 and which was not published in English under PCT Article 21(2).

All references, whether the WIPO publication, the U.S. patent application publication or the U.S. patent, of an international application (IA) that was filed on or after November 29, 2000 but was **not published in English** under PCT Article 21(2) have no 35 U.S.C. 102(e) prior art date at all. According to 35 U.S.C. 102(e), no benefit of the international filing date (nor any U.S. filing dates prior to the IA) is given for 35 U.S.C. 102(e) prior art purposes if the IA was published under PCT Article 21(2) in a language other than English, regardless of whether the international application entered the national stage. Such references may be applied under 35 U.S.C. 102(a) or (b) as of their publication dates, but never under 35 U.S.C. 102(e).



The 35 U.S.C. 102(e)(1) date for the IA Publication by WIPO is: None.
The 35 U.S.C. 102(e)(1) date for the Publication by USPTO is: None.
The 35 U.S.C. 102(e)(2) date for the Patent is: None.

The IA publication by WIPO can be applied under 35 U.S.C. 102(a) or (b) as of its publication date (01 July 2002).

Additional Priority/Benefit Claims:

If the IA properly claimed priority/benefit to any earlier-filed U.S. application (whether provisional or nonprovisional), there would still be no 35 U.S.C. 102(e) date for all the references.

If a later-filed U.S. nonprovisional (35 U.S.C. 111(a)) application claimed the benefit of the IA in the example above, the 35 U.S.C. 102(e) date of the patent or publication of the later-filed U.S. application would be the actual filing date of the later-filed U.S. application.

Moreover, assuming for the sake of argument that the Idesawa et al. publication qualified as prior art of the present application, which is not, the combination of the Abali et al. patent and the Idesawa et al. publication would still fail to render claims 11 and 12 obvious.

As asserted in Applicants' August 2, 2005 Amendment, Applicants believe the Abali et al. patent *fails* to render the limitations recited in claim 11 obvious. In other words, the arguments asserted in Applicants' August 2, 2005 Amendment regarding the patentability of claim 11 over the Abali et al. patent are also applicable here in that the Abali et al. patent *fails* to disclose or suggest *stopping the computation of a center deviation* during periods of acceleration and deceleration of the road vehicle as recited in independent claim 11. Moreover, as asserted in the August 2, 2005 Amendment, Applicants believe one of ordinary skilled in the art would *not* find it obvious to modify the anti-bias circuit of the Abali et al. patent to obtain the unique arrangement of the road vehicle display device as recited in independent claim 11.

The Idesawa et al. patent is *silent* about a center deviation correction. The Idesawa et al. publication merely discloses stopping scrolling of the image when a movement of the user is determined to be stopped (i.e., when the acceleration ceases as indicated in the paragraph [0086] of the Idesawa et al. publication) so that the image is not shifted based on signals indicating subtle movements outputted from of the acceleration sensor. In other words, in the Idesawa et al. publication, the shifting of the image itself (*not* the center deviation correction) is stopped when the acceleration is ceased to discount apparent movement of the position sensor which might be produced when the user is halting the movement of the image information displaying apparatus. Thus, if the Abali et al. patent were combined with the Idesawa et al. publication as asserted in the Office Action, such combination discloses shifting the image when the acceleration/deceleration is detected, and stop shifting the image when the acceleration/deceleration is not detected. Thus, the Abali et al. patent and the Idesawa et al. publication, whether taken singularly or in combination, *fails* to disclose or suggest *stopping using a center deviation during periods of acceleration and deceleration* of the road vehicle as recited in claim 11.

As mentioned above, the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification.

Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicants' unique arrangements of the claimed invention as recited in claim 11.

Applicants believe that the dependent claim 12 is also allowable over the prior art of record in that this claim depends from independent claim 11, and therefore is allowable for the reasons stated above. Also, the dependent claim 12 is further allowable because this claim includes additional limitations. Thus, Applicants believe that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 11, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claim 12.

Accordingly, Applicants respectfully request that this rejection be withdrawn in view of the above comments.

Allowable Subject Matter

In pages 13 and 14 of the Office Action, claims 9-10, 13-16, 18 and 19 were indicated as allowed and claims 7 and 8 were indicated as containing allowable subject matter. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. As discussed above, Applicants believe independent claim 1 is allowable over the prior art of record. Thus, Applicants believe claims 7 and 8 are allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 7 and 8 are further allowable because they include additional limitations that were indicated as allowable subject matter in the Office Action.

Prior Art Citation

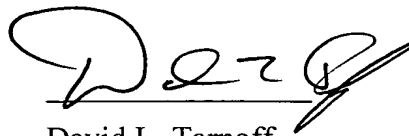
In the Office Action, an additional prior art reference was made of record. Applicants believe that this reference does not render the claimed invention obvious.

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In view of the foregoing comments, Applicants respectfully assert that claims 1 and 5-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Appl. No. 10/669,050
Request for Reconsideration dated December 5, 2005
Reply to Office Action of October 13, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. L. Tarnoff', with a long horizontal stroke extending to the right.

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